

REMARKS

Applicants appreciate the decision to re-open prosecution and the thorough examination of the present application as evidenced by the Office Action of August 8, 2006 (hereinafter "Office Action"). In response, Applicants respectfully submit that the cited references fail to disclose or suggest, among other things, all of the recitations of independent Claims 1, 33, and 57. Accordingly, Applicants submit that all pending claims are in condition for allowance. Favorable reconsideration of all pending claims is respectfully requested for at least the reasons discussed hereafter.

Independent Claims 1, 33, and 57 Are Patentable

Independent Claims 1, 33, and 57 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U. S. Patent No. 5,943,402 to Hamel et al. (hereinafter "Hamel") in view of U. S. Patent No. 6,832,350 to Bates et al. (hereinafter "Bates"). (Office Action, page 2). Independent Claims 1, 33, and 57 are directed to a method, a system, and a computer program product, respectively. For example, independent Claim 1 recites:

providing at least one bookmark for a voice mail message by a caller leaving the voice mail message;
wherein at least one bookmark is used to mark one or more segments of the voice mail message as having one or more different degrees of importance.

Claims 33 and 57 include similar recitations. Thus, according to the independent claims, a caller leaving a voice mail message may provide one or more bookmarks of which at least one of the bookmark(s) is used to mark one or more segments of the voice mail message according to degree(s) of importance.

The Office Action acknowledges that Hamel does not disclose that the bookmarked segments have one or more different degrees of importance, but alleges that Bates provides the missing teachings. (Office Action, page 2). Applicants respectfully disagree with this interpretation of Bates. In sharp contrast with the recitations of the pending independent claims in which the bookmarks are used to mark segments of a voice mail message, the bookmarks described in Bates are used to identify Uniform Resource Locators (URLs) for locations of information on the World Wide Web. (Bates, col. 1, lines 59 – 67). Thus, the bookmarks

described in Bates have nothing to do with dividing up a file, such as a voice mail message, into segments and marking those segments as having one or more different degrees of importance. Instead, the bookmarks described in Bates are merely shortcuts to sites on the World Wide Web.

Accordingly, for at least the foregoing reasons, Applicants respectfully submit that independent Claims 1, 33, and 57 are patentable over Hamel in view of Bates, and that Claims 2 - 4, 6 - 32, 34 - 42, 44 - 56, and 58, 59, and 61 - 91 are patentable at least as they depend from an allowable claim.

Independent Claims 1, 33, and 57 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hamel in view of U. S. Patent No. 6,442,243 to Valco (hereinafter "Valco"). (Office Action, page 10). The Office Action acknowledges the Hamel does not disclose that the bookmarked segments have one or more different degrees of importance, but alleges that Bates provides the missing teachings. (Office Action, page 10). The Office Action cites the passage at column 12, lines 53 through 59 of Valco as disclosing that a caller may record a voice mail message and mark the message as urgent or private. (Office Action, pages 10 – 11). The pending independent claims, however, describe marking one or more segments of a voice mail message as having one or more different degrees of importance. According to Merriam-Webster's Dictionary, 11th Edition, a segment is defined as "a separate piece of something." Thus, the pending independent claims describe marking one or more separate pieces of a voice mail message as having one or more different degrees of importance. Valco, by contrast, describes marking an entire voice mail message as urgent or private. Applicants can find no disclosure or suggestion in Valco with respect to marking one or more segments or separate pieces of a voice mail message as urgent or private.

Accordingly, for at least the foregoing reasons, Applicants respectfully submit that independent Claims 1, 33, and 57 are patentable over Hamel in view of Valco, and that Claims 2 - 4, 6 - 32, 34 - 42, 44 - 56, and 58, 59, and 61 - 91 are patentable at least as they depend from an allowable claim.

Various Dependent Claims are Separately Patentable

As discussed above, dependent Claims 2 - 4, 6 - 32, 34 - 42, 44 - 56, and 58, 59, and 61 - 91 are patentable as least as they depend from patentable independent Claims 1, 33, and 57.

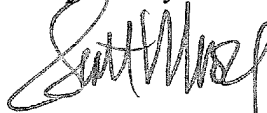
Applicants further submit, however, that various dependent claims are separately patentable for at least the reasons discussed hereafter.

Dependent Claims 13, 45, and 70 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hamel in view of Bates and also Hamel in view of Valco. The Office Action, however, does not include any detail with respect to the nature of the rejection of these claims. Applicants respectfully submit that the cited references do not appear to contain any disclosure with respect to using labels or markers to mark a segment of a voice mail message as protected or confidential. Accordingly, for at least the foregoing reasons, Applicants respectfully submit that dependent Claims 13, 45, and 70 are separately patentable over the cited references.

CONCLUSION

In light of the above amendments and remarks, Applicants respectfully submit that the above-entitled application is now in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

Respectfully submitted,



D. Scott Moore
Registration No. 42,011

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. **46589**